

FILED

OCT 04 2013

Clerk, U.S. District Court
District Of Montana
Missoula

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

DONALD P. ROGERS,

Plaintiff,

vs.

DEPUTY KING, DEPUTY BURT, ASS.
DEPUTY COUNTY ATTORNEY
JASON TROY MARKS, CHIEF
COUNTY ATTORNEY FRED VAN
VALKENBURG, CITY OF MISSOULA
JUDICIAL COURT SYSTEM, and the
COUNTY OF MISSOULA,

Defendants.

CV 13-163-M-DWM-JCL

ORDER

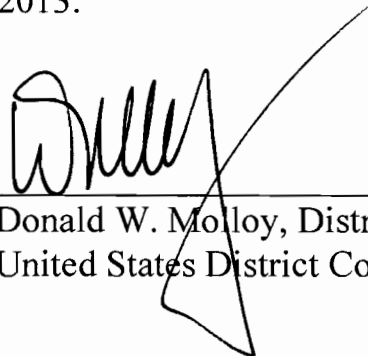
Donald Rogers is a state prisoner proceeding pro se. He brings an action under 42 U.S.C. § 1983, alleging his Federal Constitutional rights were violated during the course of a criminal proceeding prosecuted against him by the State of Montana. Magistrate Judge Lynch recommends this Court dismiss Rogers' claims for injunctive and declaratory relief as to all defendants. (Doc. 11).

Rogers has not filed objections to Judge Lynch's Findings and Recommendation. The Court reviews the findings and recommendations that are

not specifically objected to for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). The Court finds no clear error with Judge Lynch's determination that Rogers' claims for injunctive and declaratory relief should be dismissed without prejudice pursuant to *Younger v. Harris*, 401 U.S. 37 (1971).

Accordingly, IT IS ORDERED that the Findings and Recommendation (doc. 11) are ADOPTED IN FULL. Donald Rogers' claims for injunctive and declaratory relief are DISMISSED WITHOUT PREJUDICE as to all defendants.

Dated this 14th day of October 2013.



Donald W. Molloy, District Judge
United States District Court